

Message Text

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ACTION ARA-10

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TAGS: PINT, CO

SUBJECT: CONGRESS PASSES ELECTORAL REFORM BILL

REF: A) BOGOTA 3705, B) BOGOTA 1623

1. SUMMARY. SPECIAL SESSION OF CONGRESS PASSED ELECTORAL REFORM BILL WHICH SHOULD MAKE VOTING AND REGISTRATION EASIER, AND WHICH GIVER POLITICAL PARTIES NATIONAL TELEVISION TIME AND GOVERNMENTS FUNDS FOR CAMPAIGNING PURPOSES. DISSATISFACTION HAS SURFACED WITH WAY IN WHICH LEGISLATION WAS PASSED, AND IT FACES CHALLENGE IN SUPREME COURT. END SUMMARY.

2. THE ELECTORAL REFORM BILL PASSED BY THE SPECIAL SESSION OF CONGRESS APRIL 22 (REFA) AND FOR WHICH THIS SPECIAL SESSION WAS SPECIFICALLY CALLED, CONTAINED BY THE JOINT DRAFTING COMMITTEE (REF B). HIGHLIGHTS OF THIS LEGISLATION ARE:

A. IT ESTABLISHES GENERAL NORMS FOR THE ORGANIZATION OF ELECTIONS, INCLUDING THE REGISTRATION AND IDENTIFICATION OF VOTERS, AND THE PROCEDURE FOR INSCRIPTION OF ELECTION LISTS.

B. IT FIXES THE COMPOSITION AND DUTIES OF THE ELECTORAL COURT.

C. IT ESTABLISHES REGISTRATION AND VOTING ZONES IN ALL CITIES OVER 100,00, AND AUTHORIZES ELECTORAL COURT TO ALLOW LIMITED OFFICIAL USE

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MORE VOTING FACILITIES IN SMALLER AND RURAL POPULATION CENTERS.

D. IT ESTABLISHES EQUAL TIME ON THE NATIONAL TELEVISION SYSTEM DURING CAMPAIGN PERIODS FOR ALL POLITICAL GROUPS HAVING REPRESENTATION IN CONGRESS. PARTIES WHICH ARE SPLIT WILL HAVE TO SHARE THE TIME ALLOTTED, BASED ON EACH SEGMENT'S STRENGTH IN CONGRESS.

E. GOVERNMENT WILL PARTIALLY REIMBURSE ELECTION COSTS,

BASED ON NUMBER OF VOTES EACH PARTY ACTUALLY RECEIVES. GROUPS WHICH DO NOT ELECT A CANDIDATE TO EITHER CHAMBER WILL NOT BE REIMBURSED.

F. SANCTIONS AND PENALTIES AGAINST VOTE BUYING OR SELLING ARE STRENGTHENED.

3. BILL'S PASSAGE THROUGH BOTH HOUSES OF CONGRESS WAS OVERSHADOWED BY PROLONGED AND HEATED DEBATES ON OTHER POLITICAL MATTERS. SENATE HAD ONLY ONE DAY TO CONSIDER BILL IN FINAL FORM, AND APPROVED THE BILL DURING THE CLOSING MINUTES OF THE SPECIAL SESSION. PASSAGE PROCESS HAS BEEN CHALLENGED BY ONE SENATOR WHO CLAIMS FAULTY PARLIMENTARY PROCEDURES AND LACK OF QUORUM MAKE BILL ILLEGAL. HE HAS REQUESTED REVIEW BY SUPREME COURT. IN ADDITION, SEVERAL MEMBERS OF SENATE COMMITTEE WHICH REVIEWED BILL HAVE MADE PUBLIC STATEMENT THAT THEY PLAN TO INTRODUCE AMENDMENT TO LEGISLATION DURING REGUAR CONGRESSIONAL SESSION IN JULY. MAIN POINT OF THEIR AMENDMENT WILL BE TO FURTHER REFINE AND STRENGTHEN SECTION CONCERNING VOTE FRAUD.

4. COMMENT: IN GENERAL, REFORM LEGISLATION IS DESIGNED TO MODERNIZE ELECTION PROCEDURE AND INCREASE SAFEGUARDS AGAINST FRAUD. SECTION CONCERNING GOVERNMENT PAYING PARTIAL COSTS OF CAMPAIGNS WILL FAVOR TRADITIONAL POLITICAL PARTIES SINCE POLITICAL GROUPS WHICH HAVE LIMITED ABILITY TO ATTRACK VOTERS AND WHICH HAVE DIFFICULTIES IN ELECTING THEIR CANDIDATES. THOSE SMALLER POLITICAL PARTIES WHICH HAVE ELECTED REPRESENTATIVES WILL BENEFIT, HOWEVER, FROM SECTION GIVING THEM ACCESS TO NATIONAL TELEVISION TIME DURING CAMPAIGN PERIOD. CHALLENGE LIMITED OFFICIAL USE

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OF LEGISLATION'S VALIDITY BEFORE SUPREME COURT COULD DELAY IMPLEMENTATION BUT IS UNLIKELY TO KEEP REFORMS FROM BEING EFFECTIVE BEFORE 1978 ELECTIONS.

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